

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

William Keck
Petitioner

v.

William Gittere, *et al.*,
Respondents

Case No.: 3:22-cv-00031-JAD-WGC

**Order Granting in Part Application to
Proceed *In Forma Pauperis* and
Appointing Counsel**

ECF Nos. 1, 2

Petitioner William Keck was sentenced to death after he was convicted of first-degree murder with a deadly weapon and other crimes.¹ He now petitions for a writ of habeas corpus.² I have reviewed his petition under Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts and I find it worthy of service upon the respondents, so I direct service.

Keck also applies to proceed *in forma pauperis*³ and requests court-appointed counsel.⁴ However, his application to proceed *in forma pauperis* is incomplete because the required financial certificate has not been completed and signed by an authorized prison officer.⁵ And, at any rate, he states in the application that he has received \$3,674 in the past twelve months and

¹ ECF No. 1-3 (judgment of conviction); NEV. DEP'T OF CORR. (January 20, 2022) <http://doc.nv.gov/Inmates/Home/> (inmate search by name William Keck or offender ID 1091844).

² ECF No. 1-1.

³ ECF No. 1.

⁴ ECF No. 2.

⁵ ECF No. 1 at 5; *see also* LSR 1-2.

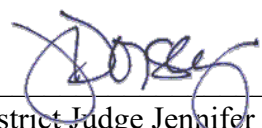
1 that he has \$1,074 in his prison account, indicating that he can easily pay the \$5.00 filing fee.⁶
 2 So I decline to waive the filing-fee requirement. It does appear, however, that Keck lacks the
 3 resources necessary to employ counsel for this capital habeas action, so I grant him pauper status
 4 for all other purposes in this case, and I appoint counsel to represent him.

5 Accordingly, IT IS ORDERED that Keck's application to proceed *in forma*
 6 *pauperis* [ECF No. 1] is **GRANTED in part and DENIED in part**. Keck is granted leave to
 7 proceed *in forma pauperis*, but he **has until February 25, 2022, to pay the \$5.00 filing fee**.

8 IT IS FURTHER ORDERED that Keck's motion for appointment of counsel [ECF
 9 **No. 2]** is **GRANTED**. The Federal Public Defender for the District of Nevada is appointed to
 10 represent Keck. The Federal Public Defender will have until **February 25, 2022**, to either
 11 (1) file a notice of appearance as counsel or (2) file a notice indicating its inability to represent
 12 Keck in these proceedings.

13 The **Clerk of Court** is directed to **electronically SERVE a copy of this order on the**
 14 **Federal Public Defender** for the District of Nevada. The **Clerk of Court** is also directed to
 15 **ADD Aaron D. Ford**, Attorney General of the State of Nevada, as counsel for respondents and
 16 to provide respondents an electronic copy of all items previously filed in this case by
 17 regenerating the Notice of Electronic Filing to the office of the AG only.

18 Finally, the **Clerk of Court** is directed to **electronically SERVE** upon respondents **a copy**
 19 **of Keck's petition (ECF No. 1-1) and a copy of this order**. Respondents have **until February**
 20 **25, 2022, to enter a notice of appearance**, but no further action in this case is required unless
 21 the Court orders otherwise.

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 23 _____
 U.S. District Judge Jennifer A. Dorsey
 Dated: January 26, 2022

⁶ ECF No. 1 at 2.